

TITLE 21
AERONAUTICS

CHAPTER 7
DAMAGES TO AIRCRAFT

21-701. DEFINITIONS. The following words and phrases when used in this chapter are defined to mean the following:

(a) "Aircraft" means any contrivance now known or hereafter invented used or designed for navigation of or flight in the air.

(b) "Aircraft engine" means an engine used or intended to be used for propulsion of aircraft and includes all parts, appurtenances and accessories thereof other than propellers.

(c) "Aircraft navigation facility" means any facility used in, available for use in, or designed for use in, aid of air navigation, including landing areas, lights, any apparatus or equipment for disseminating weather information, for signaling, for radio-directional finding, or for radio or other electrical communication, and any other structure or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft.

(d) "Airport" means any area of land or water which is used, or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. The term "airport" shall include such other common terms as aviation field, airfield, intermediate landing field, landing field, landing area, airstrip, and landing strip. For purposes of this chapter the term "airport" refers to a publicly owned and managed facility that is open for public use without operational restrictions on its use.

(e) "Appliances" means instruments, equipment, apparatus, parts, appurtenances, or accessories, of whatever description which are used, or are capable of being or intended to be used, in the navigation, operation, or control of aircraft in flight, including parachutes and including radio and communication equipment and any other mechanism or mechanisms whether or not installed in or attached to aircraft during flight.

(f) "Person" means any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

(g) "Propeller" includes all parts, appurtenances, and accessories thereof.

(h) "Spare parts" means parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto.

[21-701, added 1963, ch. 359, sec. 1, p. 1028; am. 2005, ch. 174, sec. 13, p. 544.]

21-702. STEALING FROM, INTERFERING WITH, OR DESTRUCTION OF AIRCRAFT OR AIR NAVIGATION FACILITIES. Any person who intentionally or with reckless disregard for the safety of human life:

(a) damages, destroys, disables, sets fire to, tampers with, or wrecks any aircraft, aircraft navigation facility, or aircraft engine, propeller, radio, antenna or spare part, or cuts any wire or removes, damages, or tampers with any functional part of any aircraft or air navigation facility, or,

(b) places or causes to be placed any destructive substance in, upon, or in proximity to, any such aircraft or any aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid or other material used or intended to be used in connection with the operation of any such aircraft or any cargo carried or intended to be carried on any such aircraft or otherwise makes or causes to be made any such aircraft, engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid or other material unworkable or unusable or hazardous to work or use, or

(c) removes, steals, takes or carries away any part of an aircraft, aircraft engine, propeller, radio, air navigation facility or appliance used in connection with an aircraft, or

(d) throws an object at, or drops an object upon, a moving aircraft, such object having the apparent capability to do harm, or

(e) discharges an arrow, gun, airgun or firearm at or toward an aircraft,

shall be guilty of a felony and shall be punished by a fine of not more than ten thousand dollars (\$10,000) or imprisonment for not more than twenty (20) years, or by both such fine and imprisonment.

[21-702, added 1963, ch. 359, sec. 2, p. 1028; am. 1983, ch. 82, sec. 1, p. 168.]

21-703. PENALTY WHEN DEATH RESULTS. Any person who is convicted of any crime prohibited by this chapter which has resulted in the death of any person shall be subject also to imprisonment for life if the jury shall in its discretion so direct, or in the case of a plea of guilty or a plea of not guilty where the defendant has waived a trial by jury if the court in its discretion shall so order.

[21-703, added 1963, ch. 359, sec. 3, p. 1028.]